

Because they say that I have to die in jail and the deputy jailers on all 3 shifts and lied that I'm mental ill and takeing [sic] me off my trial with the state so the state and federal government [sic] want beleave [sic] my allegations against the county and state.

(ECF No. 1 at 2.) Plaintiff asks the Court to “[s]ettle this Afican [sic] American Dieing [sic] lawsuit million dollar scam with my attorney Brian D. Bowhan” (*Id.* at 3.) This case is yet another in a series of cases Plaintiff has filed alleging that various county jails and government mental hospitals are deliberately killing African Americans.¹

In the R&R, Magistrate Judge Claxton determined that Plaintiff’s allegations in this case do not comply with Federal Rule of Civil Procedure 8(a)(1) and do not adequately state any claim against the Shelby County Sheriff’s Department under 42 U.S.C. § 1983. The Court finds no error in that conclusion. Therefore, the R&R is ADOPTED, and this case is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court must also consider whether Plaintiff should be allowed to appeal this decision *in forma pauperis*, should he seek to do so. Pursuant to the Federal Rules of Appellate Procedure, a non-prisoner desiring to proceed on appeal *in forma pauperis* must obtain pauper status under Federal Rule of Appellate Procedure 24(a). *See Callihan v. Schneider*, 178 F.3d 800, 803-04 (6th Cir. 1999). Rule 24(a) provides that if a party seeks pauper status on appeal, he must first file a motion in the district court, along with a supporting affidavit. Fed. R. App. P. 24(a)(1). However, Rule 24(a) also provides that if the district court certifies that an appeal would not be taken in good

¹ *See Jones v. Shelby Cnty. Sheriff Dep’t*, No. 15-2217-JDT-cgc (Feb. 3, 2016) (dismissed for failure to state a claim); *Jones v. Western Mental Health*, No. 13-1180-JDT-egb (W.D. Tenn. Jan. 2, 2014) (dismissed pursuant to Fed. R. Civ. P. 41(b) for failure to comply with an order of the Court); *Jones v. Memphis Police Dep’t*, No. 13-2066-JDT-tmp (Oct. 1, 2013) (dismissed as frivolous and for failure to state a claim); *Jones v. City of Memphis*, No. 12-2215-JDT-tmp (Jan. 30, 2013) (dismissed as frivolous and for failure to state a claim); *Jones v. Crittenden Cnty. Jail Admin. and Staff*, No. 09-2798-JDT-dkv (W.D. Tenn. Jan. 22, 2010) (transferred to the Eastern District of Arkansas); *Jones v. Shelby Cnty.*, No. 03-2247-MI/A (W.D. Tenn. June 23, 2003) (dismissed for failure to state a claim); *Jones v. Boyce*, No. 00-3195-D/V (W.D. Tenn. Feb. 5, 2001) (dismissed as frivolous); *Jones v. Boyce*, No. 00-2400-D/A (W.D. Tenn. June 5, 2000) (dismissed as frivolous).

faith, or otherwise denies leave to appeal *in forma pauperis*, the party must file a motion to proceed *in forma pauperis* in the Court of Appeals. Fed. R. App. P. 24(a)(4)-(5).

The good faith standard is an objective one. *Coppedge v. United States*, 369 U.S. 438, 445 (1962). The test for whether an appeal is taken in good faith is whether the litigant seeks appellate review of any issue that is not frivolous. *Id.* The same considerations that lead the Court to dismiss this case for failure to state a claim also compel the conclusion that an appeal would not be taken in good faith.

It is CERTIFIED, pursuant to Federal Rule of Appellate Procedure 24(a), that any appeal in this matter by Plaintiff is not taken in good faith. Leave to appeal *in forma pauperis* is, therefore, DENIED. Accordingly, if Plaintiff files a notice of appeal, he must also pay the full \$505 appellate filing fee or file a motion to proceed *in forma pauperis* and supporting affidavit in the Sixth Circuit Court of Appeals.

The Clerk is directed to prepare a judgment.

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE